

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

WANDA STRINGER

PLAINTIFF

LEAD CASE

V.

CIVIL ACTION NO. 4:15CV107-NBB-JMV

NORTH BOLIVAR CONSOLIDATED SCHOOL DISTRICT;
NORTH BOLIVAR CONSOLIDATED SCHOOL DISTRICT
BOARD OF TRUSTEES; JOHNNIE VICK, Individually and
In His Official Capacity; WILLIAM LUCAS, JR., Individually
and In His Official Capacity; GLEN SCOTT, Individually and
In His Official Capacity; JACKLON I. HAYWOOD, Individually
and In Her Official Capacity; JEFFERICK BUTLER, Individually
and In His Official Capacity; JOHN COLEMAN, Individually and
In His Official Capacity; WILLIAM CROCKETT, Individually
and In His Official Capacity; AND JOHN DOES 1-10

DEFENDANTS

CONSOLIDATED WITH

WANDA STRINGER

PLAINTIFF

V.

CIVIL ACTION NO. 4:15CV108
CIVIL ACTION NO. 4:15CV109
CIVIL ACTION NO. 4:15CV110

NORTH BOLIVAR CONSOLIDATED SCHOOL DISTRICT, ET AL.

DEFENDANTS

ORDER GRANTING MOTION TO CONSOLIDATE

Presently before the court is the defendants' motion to consolidate four related cases filed in this court by the plaintiff, Wanda Stringer. Upon due consideration of the motion and response, the court finds that the motion is well taken and should be granted.

Federal Rule of Civil Procedure 42(a) provides for consolidation as follows:

If actions before the court involve a common question of law or fact, the court may:

- (1) join for hearing or trial any or all matters at issue in the actions;
- (2) consolidate the actions; or
- (3) issue any other orders to avoid unnecessary cost or delay.

Rule 42 gives a court “broad discretion to decide how cases on its docket are to be tried so that the business of the court may be dispatched with expedition and economy while providing justice to the parties.” 9A Charles Alan Wright & Arthur R. Miller, *Federal Practice and Procedure* § 2381 (3d ed. 2008).

Factors the court may consider in determining whether consolidation is appropriate include the following:

- (1) whether the actions are pending before the same court,
- (2) whether common parties are involved in the cases,
- (3) whether there are common questions of law and/or fact,
- (4) whether there is a risk of prejudice or confusion if the cases are consolidated, and if so, is the risk outweighed by the risk of inconsistent adjudications of factual and legal issues if the cases are tried separately, and
- (5) whether consolidation will conserve judicial resources and reduce the time and cost of trying the cases separately.

Zolezzi v. Celadon Trucking Services, Inc., No. H-08-3508, 2009 WL 736057, at *1 (S.D. Tex. Mar. 16, 2009).

The court finds that in the present case these factors weigh in favor of consolidation. Each of the cases are pending before this court. There are common parties and common questions of law and fact in each of the four cases. The court finds no risk of prejudice or confusion, as the plaintiff has set forth substantially the same facts and legal claims in the separate actions, and the cases are in the early stages of litigation. Finally, consolidation will conserve judicial resources and reduce the time and cost of trying the cases separately. Clearly, the interests of justice, efficiency, and judicial economy will best be served by consolidation.

For these reasons, it is therefore **ORDERED AND ADJUDGED** that the defendants’ motion to consolidate is well taken, should be, and the same is hereby **GRANTED**. The court

directs the Clerk of Court to consolidate causes 4:15CV108, 4:15CV109, and 4:15CV110 with the lead case, 4:15CV107, for all further proceedings.

This, the 20th day of November, 2015.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.

UNITED STATES DISTRICT JUDGE